TOWN OF RIVERHEAD

RESOLUTION # 572

ORDER CALLING PUBLIC HEARING - EXTENSION TO THE RIVERHEAD WATER DISTRICT
EXTENSION NO. 46

ADOPTED _____

COUNCILMAN PRUSINOWSKI offered the following resolution which was seconded by COUNCILMAN STARK

WHEREAS, a petition has been filed by Miller Environmental Group, Inc. requesting an extension to the Riverhead Water District to provide water facilities to property located on the east side of Edwards Avenue, Calverton, New York, bounded and described in Exhibit A attached hereto, approximately 1275 feet south of the intersection of Route 25 and Edwards Avenue, and

WHEREAS, an engineering report, plans and map for the proposed extension have been prepared by H2M, and are on file with the Riverhead Town Clerk, and

WHEREAS, H2M has filed with the Town Clerk an environmental assessment form which is on file for review and public inspection, and

WHEREAS, the total cost for the installation of water mains and appurtenances for Extension 46 has been estimated at $41,000, with the entire cost of said extension to be borne by the applicant with no cost to the District as a whole, and

WHEREAS, the applicant, shall deposit with the Town of Riverhead key money in the amount of $11,250, and

WHEREAS, it is necessary for the Town Board to hold a public hearing to hear all persons wishing to be heard with regard to the proposed extension of the Riverhead Water District. The proposed 12-inch water main installation will commence from a connection to an existing 12-inch main at the intersection of NYS Route 25 and Edwards Avenue on the westerly side, and extend southerly within the Town right-of-way to a terminating point approximately 1275 feet south of NYS Route 25 to the southern most point of the Miller Environmental property. The water main shall terminate with a hydrant for fire protection. Necessary valves and tees will be installed and plugged at proposed service line locations to the Miller Environmental properties,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the 6th day of September, 1994, at 7:10 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to

the extension to the Riverhead Water District to be known as Extension No. 46 to include the Miller Environmental facility on the east side of Edwards Avenue, Calverton, New York, as bounded and described in Exhibit A attached hereto including approximately 6 acres, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the Suffolk County Life, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Gary Pendzick; Pierre G. Lundberg, Esq.; and James Miller, Sr. at Miller Environmental Group, Inc.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara Grattan, Town Clerk

Dated: August 16, 1994
Riverhead, NY

THE VOTE

Gilliarr ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ No Absent

THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 573

ORDER CALLING A PUBLIC HEARING IN ACCORDANCE WITH SECTION 202-B OF THE TOWN LAW, RE: SEWER AND FORCE MAIN RELOCATION, EAST MAIN STREET

Adopted

COUNCILMAN STARK offered the following resolution which was seconded by COUNCILMAN PRUSINOWSKI,

WHEREAS, upon request of an applicant, the Town Board of the Town of Riverhead, Suffolk County, New York, as governing body of the Riverhead Sewer District, caused an estimate of cost to be prepared relating to the relocation of the gravity sewer and force main at the site of the proposed Okeanos Aquarium on East Main Street in Riverhead, which work must be done in order to accommodate the new structures that are planned to be built on the site, and

WHEREAS, said plan and cost estimate as prepared by Malcolm Pirnie, Inc. is on file with the Riverhead Town Clerk

WHEREAS, cost to relocate the gravity sewer and force main at East Main Street is proposed not to exceed $210,000 which shall be borne in full by the applicant and at no cost to the District as a whole, and

WHEREAS, the applicant proposes to construct an aquarium which necessitates the relocation of the sewer main, which project has been the subject of a Final Environmental Impact Statement which has been accepted by the Town Board with findings adopted, and

WHEREAS, it is now desired to call a public hearing on the question of the proposed work as described above, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on the 6th day of September, 1994, at 7:20 o'clock p.m., prevailing time, on the question of relocating the gravity sewer and force main at the site of the proposed Okeanos Aquarium on East Main Street, Riverhead, New York, in order to accommodate the new structures that are planned to be built on the site, in the manner described in the preambles hereof, and to hear all persons interested in the

subject thereof, concerning the same, and to take such action as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the notice of public hearing to be published once in the August 17, 1994, edition of Suffolk Life Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty days before the date designated for the public hearing.

Section 3. The project described in the preambles hereto is hereby determined to be an "unlisted action" under the State Environmental Quality Review Act, the implementation of which, as proposed, will not result in any significant environmental effects.

Section 4. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, 200 Howell Avenue, Riverhead, New York, at 7:20 o'clock p.m. prevailing time, on September 6, 1994, for the purpose of conducting a public hearing in relation to the relocation of the gravity sewer and force main at the site of the proposed Okeanos Aquarium on East Main Street, Riverhead, New York, which work must be done to accommodate new structures that are planned to be built on the site, at a total cost of $208,000, all to be borne by the applicant with no cost to the District as a whole.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
August 16, 1994

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

Section 5: This order shall take effect immediately.

and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Superintendent Reichel; Malcolm Pirnie, Inc.; Okeanos Ocean Research Foundation, Inc; Allen M. Smith, Esq.; and Pierre G. Lundberg, Esq.

THE VOTE

Gillian ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ absent

THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 574

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO CHAPTER 48 - BEACHES AND RECREATION CENTERS. OF THE RIVERHEAD TOWN CODE

COUNCILMAN CREIGHTON offered the following resolution, which was seconded by **COUNCILWOMAN GILLIAM**:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to amend the Town Code Chapter 48 Beaches and Recreation Centers., once in the Suffolk County Life Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Board; the Riverhead Building Department; the Recreation Department; the Suffolk County Planning Commission; the L.I. State Park Commission; the Towns of Brookhaven, Southold and Southampton and the L.I. Pine Barrens Review Commission.

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of September, 1994 at 7:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the amendment to Chapter 48 Beaches and Recreation Centers. of the Riverhead Town Code as follows:

Sec. 48-13. Parking and parking permits.

B. (11) Parking area at boat launching facility, Peconic Bay Boulevard, South Jamesport.

Dated: Riverhead, New York
August 16, 1994

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

* Underscore represents addition(s)

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent
THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD

Resolution # 575

AUTHORIZES EXECUTION OF AGREEMENT WITH
RIVERHEAD FIRE DISTRICT, HYDRANT RENTAL AGREEMENT

Adopted

COUNCILWOMAN GILLIAM **adopted the following resolution which was seconded by** **COUNCILMAN CREIGHTON**

RESOLVED, that the Supervisor be and is hereby authorized to enter into an Agreement with the Riverhead Fire District regarding the rental of fire hydrants for the years 1992, 1993, 1994, and 1995.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS ✕ WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 576

AWARDS BID FOR NEW SUPPLY WELL NO. 7-3
RIVERHEAD WATER DISTRICT

COUNCILMAN PRUSINOWSKI offered the following resolution which was seconded by COUNCILMAN STARK,

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for the construction of a new public supply Well No. 7-3, and

WHEREAS, bids were received, opened and read aloud on June 23, 1994, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders, and

WHEREAS, the bids have been reviewed by H2M, consulting engineers for the Riverhead Water District, who by letter dated July 11, 1994, recommended that the contracts be awarded to the lowest responsible bidders, as follows:

Contract No. 1: Delta Well & Pump of Ronkonkoma, New York, on a bid of $219,434 (Items 1, 2, 4 [one setting], 5, 7, 11 and 13);

Contract No. 2: Bensin Contracting of Holtsville, New York, on a total bid of $156,380 (Items 1-14);

Contract No. 3: Wire-to-Water, Inc. of Hicksville, New York, on a bid of $95,800 (Items 1,2,3,4,5,6,7A, & 8);

NOW, THEREFORE, BE IT

RESOLVED, that the contracts for the construction of a new public supply Well No. 7-3 be and is hereby awarded to:

Contract No. 1: Delta Well & Pump of Ronkonkoma, New York, on a bid of $219,434 (Items 1, 2, 4 [one setting], 5, 7, 11 and 13);

Contract No. 2: Bensin Contracting of Holtsville, New York, on a total bid of $156,380 (Items 1-14);

Contract No. 3: Wire-to-Water, Inc. of Hicksville, New York, on a bid of $95,800 (Items 1,2,3,4,5,6,7A & 8); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to each of the above mentioned contractors, the Riverhead Water District, H2M, and Pierre G. Lundberg, Esq., and be it further

RESOLVED, that the Town Clerk is hereby authorized to return to all unsuccessful bidders their respective bid security, and it is further

RESOLVED, that upon the completion of fully executed contracts and the filing of said contracts with the Town Clerk, the Town Clerk is hereby authorized to release to the successful bidders the bidder's bid security.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

4719/0177

TOWN OF RIVERHEAD
Resolution # 577

72113-3102P

ORDER CALLING A PUBLIC HEARING FOR INCREASE AND IMPROVEMENT TO TOWN OF RIVERHEAD PUBLIC PARKING DISTRICT #1

COUNCILMAN STARK offered the following resolution, which was seconded by COUNCILMAN PRUSINOWSKI

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, on August 16th, 1994, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

JAMES R. STARK
Councilman/Deputy Supervisor

VICTOR J. PRUSINOWSKI
Councilman

FRANK W. CREIGHTON
Councilman

HARRIET A. GILLIAM
Councilman

In the Matter of The Increase and Improvement of the Facilities of Parking District No. 1 in the Town of Riverhead, Suffolk County, New York	ORDER CALLING PUBLIC HEARING

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has caused to be prepared a map, plan and report and an estimate of cost relating to the

increase and improvement of the facilities of Parking District No. 1 of said Town, consisting of the construction of approximately 335 on-grade parking spaces at the District's parking area located between Roanoke Avenue and East Avenue, and the construction of an elevated parking deck to provide approximately 235 above grade parking spaces at said site, including necessary excavation and reconstruction of said site, associated fencing, landscaping, signage, lighting and graphics and incidental improvements and expenses in connection therewith, at a maximum estimated cost of $5,000,000; and

WHEREAS, said capital project, as proposed, is part of an overall project which has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, for which the Town has adopted "findings"; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the such Parking District in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. A public hearing will be held at the Town

Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on September 6, 1994, at 7:30 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Parking District No. 1 in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in The Suffolk County Life, the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the - Town Hall, in Riverhead, New York, in said Town, on September 6, 1994, at 7:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report including an estimate of cost in relation to the proposed increase and improvement of the facilities of Parking District No. 1, consisting of the construction of approximately 335 on-grade parking spaces at the District's parking area located between Roanoke Avenue and East Avenue, and the construction of an elevated parking deck to provide approximately 235 above grade parking spaces at said site, including necessary excavation and reconstruction of said site, associated fencing, landscaping, signage, lighting and graphics and incidental improvements and expenses in connection therewith, at a maximum estimated cost of $5,000,000.

The aforesaid project, as proposed, is part of an overall project which has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, for which the Town has adopted "findings".

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York,
August 16, 1994.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
RIVERHEAD, SUFFOLK COUNTY, NEW YORK

By BARBARA GRATTAN
Town Clerk

Section 4. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

Deputy Supervisor Starr VOTING _____

Councilman Prusinowski VOTING _____

Coundilman Creighton VOTING _____

Councilwoman Gilliam VOTING _____

Supervisor Janoski VOTING Absent

The order was thereupon declared duly adopted.

* * * * * * *

STATE OF NEW YORK)
)ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on August 16, 1994, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media	Date given
The Suffolk County Life	

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of posted notice	Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on August _____, 1994.

_____
Town Clerk

(CORPORATE
SEAL)

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DEPOSE AND SAY:

That on the ____ day of August, 1994, I caused to be posted on the official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of Public Hearing, which Notice is part of an order duly adopted by the Town Board on the ____ day of August, 1994.

A true and correct copy of such Notice is attached hereto and made a part hereof.

_____
Town Clerk

Subscribed and sworn to before me
this ____ day of _____, 1994.

_____
Notary Public

THE VOTE

Gillian ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prisinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ absent
THE RESOLUTION WAS ✗ WAS NOT ___
THEREFORE ... ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 578

AUTHORIZES TOWN CLERK TO PUBLISH AND POST
NOTICE TO BIDDERS, OLIVER STREET/NORTHVILLE TURNPIKE
GRAVITY SEWER

COUNCILMAN CREIGHTON offered the following resolution which was seconded by COUNCILWOMAN GILLIAM,

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders with regard to receiving bids for the installation of a gravity sewer in the bed of Oliver Street and Northville Turnpike, and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to Pierre G. Lundberg, Esq., Michael Reichel, and Malcolm Pirnie, Inc.

TOWN OF RIVERHEAD, NEW YORK
RIVERHEAD SEWER DISTRICT

OLIVER STREET/NORTHVILLE TURNPIKE
GRAVITY SEWER

NOTICE TO BIDDERS

Sealed bids will be received by the Town of Riverhead at the Office of the Town Clerk, Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 a.m. local time on August 24, 1994, at which time the bids will be publicly opened and read.

The work under this contract comprises the furnishing of all tools, materials and labor for the construction of a gravity sewer main in Oliver Street and Northville Turnpike, Town of Riverhead, New York, within the Riverhead Sewer District, complete, in place, tested and ready for use in accordance with the Contract Documents prepared by Malcolm Pirnie, Inc.

The principal features of the Work to be performed for this project include:

Installation of approximately 2,750 linear feet of eight (8) inch gravity sewer and manholes with opening.

The foregoing is a general description only and shall not be construed as a complete description of the Work to be performed for this Project.

Contract documents may be examined at the Office of the Town Clerk on or about August 16, 1994, between the hours of 8:30 a.m. and 4:30 p.m. weekdays, except holidays. Copies may be obtained upon deposit of $50 for each set by certified check, money order or other acceptable security. Prospective bidders requesting the contract documents by mail must remit an additional, non-refundable fee of $30 per set, to cover handling and first class mailing. Upon return of the contract documents within 30 days following the award of the contract, all Bidders submitting a proposal accompanied by the required security will be refunded the full deposit for one set only. One-half of the deposit, for one set only, will be refunded to non-bidders. Neither the Owner nor the Engineer will be responsible for full or partial sets of contract documents, including any addenda, obtained from other sources. Checks for contract documents shall be made payable to Town of Riverhead, New York.

Bid bond security and proof of qualifications to perform the work shall be as described in the Instructions to Bidders.

Bidders shall comply with all special and statutory requirements in accordance with the Instructions to Bidders.

The District intends to award a bid at a meeting of the Town Board to be held August 26, 1994.

Contract time of commencement shall be August 31, 1994, time being of the essence.

Note: Contract milestone to complete, and be ready for use: Sewer from existing manhole No. 420 through new manhole 3 is September 28, 1994, time being of the essence, construction to be completed by October 28, 1994, time being of the essence. The contract shall contain a liquidated damage clause for failure to complete the work on time.

This project is subject to the provisions of Article 5-A of the General Municipal Law of the State of New York.

The District reserves the right to waive any informalities in the bids or to reject any and all bids. No bidder may withdraw his bid except by written request submitted and received before the time of opening or until the lapse of 45 days after the actual opening thereof. Withdrawal of a bid for an alleged mistake must be done prior to the award or within three (3) days of the opening, whichever period is shorter. (General Municipal Law Section 103(11)

The District is exempt from payment of sales and compensation use taxes of the State of New York and of Cities and Counties on all materials to be incorporated into the Work. These taxes shall not be included in the Bid.

The District will furnish the required certificates of tax exemption to the Contractor for use in the purchase of supplies and materials to be incorporated into the Work.

The District's exemption does not apply to construction tools, machinery, equipment or other property purchased by or leased by the Contractor, or to supplies or materials not incorporated into the Work.

The Contractor shall be responsible for and shall pay any and all applicable taxes, including sales and compensation use taxes, on such tools, machinery, equipment or other property, or such supplies or materials not incorporated into the Work.

By Order of the Riverhead Town Board
Barbara Grattan, Town Clerk
Dated: August 16, 1994

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ Yes ___ No Absent

THE RESOLUTION WAS ✓ WAS NOT
THEREUPON DULY DECLARED ADOPTED

The District intends to award a bid at a meeting of the Town Board to be held August 26, 1994.

Contract time of commencement shall be August 31, 1994, time being of the essence.

Note: Contract milestone to complete, and be ready for use: Sewer from existing manhole No. 420 through new manhole 3 is September 28, 1994, time being of the essence, construction to be completed by October 28, 1994, time being of the essence. The contract shall contain a liquidated damage clause for failure to complete the work on time.

This project is subject to the provisions of Article 5-A of the General Municipal Law of the State of New York.

The District reserves the right to waive any informalities in the bids or to reject any and all bids. No bidder may withdraw his bid except by written request submitted and received before the time of opening or until the lapse of 45 days after the actual opening thereof. Withdrawal of a bid for an alleged mistake must be done prior to the award or within three (3) days of the opening, whichever period is shorter. (General Municipal Law Section 103(11)

The District is exempt from payment of sales and compensation use taxes of the State of New York and of Cities and Counties on all materials to be incorporated into the Work. These taxes shall not be included in the Bid.

The District will furnish the required certificates of tax exemption to the Contractor for use in the purchase of supplies and materials to be incorporated into the Work.

The District's exemption does not apply to construction tools, machinery, equipment or other property purchased by or leased by the Contractor, or to supplies or materials not incorporated into the Work.

The Contractor shall be responsible for and shall pay any and all applicable taxes, including sales and compensation use taxes, on such tools, machinery, equipment or other property, or such supplies or materials not incorporated into the Work.

By Order of the Riverhead Town Board
Barbara Grattan, Town Clerk
Dated: August 16, 1994

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ Yes ___ No Absent

THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 579

APPROVES SITE PLAN OF LILCO - BULK LOADING STATION (RIVERHEAD OPERATIONS CENTER)

COUNCILWOMAN GILLIAM offered the following resolution, which was seconded by COUNCILMAN CREIGHTON:

WHEREAS, a site plan and elevations were submitted by Joseph V. Scibelli, as agent for LILCO, for the installation of a canopy over a bulk loading station located at 600 Doctors Path, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-84-3-40.1; and

WHEREAS, the Planning Department has reviewed the site plan dated last April 29, 1994, as prepared by Long Island Lighting Company, Office of Engineering, 175 East Old Country Road, Hicksville NY, and elevations dated April 6, 1994, as prepared by Long Island Lighting Company, Office of Engineering, 175 East Old Country Road, Hicksville NY, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Unlisted Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, a copy of the site plan has been marked and initialled by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 22210 of the Office of the Supervisor of the Town of Riverhead; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Joseph V. Scibelli, as agent for LILCO, for the installation of a canopy over a bulk loading station, located at 600 Doctors

Path, Riverhead, New York, site plan dated last April 29, 1994, as prepared by Long Island Lighting Company, Office of Engineering, 175 East Old Country Road, Hicksville NY, and elevations dated April 6, 1994, as prepared by Long Island Lighting Company, Office of Engineering, 175 East Old Country Road, Hicksville NY, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code;**

7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code;**

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, **"No Parking, Handicap Only"**, and the universal symbol affixed thereto. Further, by execution and filing of this document, Joseph V. Scibelli hereby authorizes and consents to the Town of Riverhead to enter premises at 600

Doctors Path, Riverhead, New York, to enforce said handicapped parking regulations;

9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

10. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joseph V. Scibelli, the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1993 made by _____, residing at 445 Broad Hollow Road, Melville NY 11747, Declarant.

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

1. That the provisions of the **Riverhead Town Code,** which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

5. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code;**

6. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code;**

7. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, **"No Parking, Handicap Only"**, and the universal symbol affixed thereto;

8. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

9. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

Declarant has hereunto set his (her) hand and seal the day and year above first written.

LONG ISLAND LIGHTING CO.

By: _____

STATE OF NEW YORK)
)ss.:
COUNTY OF SUFFOLK)

On the _____ day of _____, 1994, before me personally came _____, who, being sworn by me, did depose and say: that (s)he is the _____ of _____; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

_____
NOTARY PUBLIC

THE VOTE

Gilliam ✓ Yes __ No Creighton ✓ Yes __ No
Stark ✓ Yes __ No Prusinowski ✓ Yes __ No
Janoski __ Yes __ No Absent

THE RESOLUTION WAS X WAS NOT __
THEREUPON DULY DECLARED ADOPTED

1/16/94

TOWN OF RIVERHEAD

Resolution # 580
AMENDS SITE PLAN OF DBM CO. OFFICE BUILDING

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by COUNCILMAN STARK:

WHEREAS, by Resolution # 390, dated May 25, 1993, the Riverhead Town Board did approve the site plan of Richard Israel for the construction of an 18,000 square foot office building, with basement storage area and related site improvements, located at 889 Harrison Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-102-3-1, and

WHEREAS, Richard Israel has requested that a modification of said site plan approval in regard to the reconfiguration of the main building entry, as per a plan and elevations each dated January 12, 1994, as prepared by Fairweather/Brown, Architects, Box 521, Greenport NY 11944, and amended planting plan and schedule, dated June 10, 1994, be approved by the Riverhead Town Board, and

WHEREAS, the Planning Department has reviewed such modification and has recommended that the Town Board accept such modification, and

WHEREAS, this Town Board has reviewed the modification aforementioned, and

WHEREAS, the site plan amendment fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 22212 of the Office of the Supervisor of the Town of Riverhead;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does amend the site plan approval of Richard Israel to provide for the following:

the reconfiguration of the main building entry, as per a plan and elevations each dated January 12, 1994, as prepared by Fairweather/Brown, Architects, Box 521, Greenport NY 11944, and amended planting plan and schedule, dated June 10, 1994, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard Israel, the Riverhead Planning Department, Building Department, and Town Engineer.

THE VOTE
Gillan ✓ Yes __ No Creighton ✓ Yes __ No
Stark ✓ Yes __ No Prusinowski ✓ Yes __ No
Janoski __ Yes __ No Absent
THE RESOLUTION WAS X WAS NOT __
THEREUPON DULY DECLARED ADOPTED

AUGUST 16, 1994 TOWN OF RIVERHEAD

Resolution # 581

SETS STIPEND FOR CHAIRMAN OF THE BOARD OF ASSESSMENT REVIEW

COUNCILMAN STARK OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY COUNCILMAN PRUSINOWSKI.

WHEREAS. Resolution #242 dated 4/20/94 appointed Bruce Stuke to be a member of the Board of Assessment Review and;

WHEREAS, the Board of Assessment Review met on 5/17/94 and elected Bruce Stuke the Chairman in 1994, and;

WHEREAS, the Chairman of the Board of Assessment Review has traditionally received an additional stipend of $10.00 per session ;

NOW, THEREFORE BE IT RESOLVED, that Bruce Stuke, as Chairman of the Board of Assessment Review is hereby authorized to receive the additional stipend of $10.00 per session for 1994.

abstain THE VOTE

Gilliam ___ ~~Yes~~ ___ ~~No~~ Creighton ✓ Yes ___ No

Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No

Janoski ___ ~~Yes~~ ___ ~~No~~ abstain

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY DECLARED ADOPTED

AUGUST 16, 1994 TOWN OF RIVERHEAD

RESOLUTION # 582

APPOINTS PROVISIONAL ACCOUNT CLERK TYPIST TO THE ACCOUNTING DEPARTMENT

COUNCILMAN CREIGHTON OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY COUNCILWOMAN GILLIAM.

WHEREAS, a vacancy for a Provisional Account Clerk Typist exists in the Accounting Department due to the resignation of Nancy Morrow; and

WHEREAS, said position was duly posted; and

WHEREAS, the Town interviewed all interested applicants in accordance with the provisions of the Civil Service Law.

NOW, THEREFORE, BE IT RESOLVED, that Marianne Schneider is hereby appointed to the position of Provisional Account Clerk Typist with the Accounting Department effective August 29, 1994 at the annual salary of $21,857.84 as set forth in Group 9, Step P, of the CSEA Clerical and Supervisory Schedule; and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to forward a certified copy of this Resolution to Marianne Schneider and the Accounting Department.

THE VOTE

Gilliam ✓ Yes __ No Creighton ✓ Yes __ No
Stark ✓ Yes __ No Prusinowski ✓ Yes __ No
Janoski __ Yes __ No Abstain

THE RESOLUTION WAS X WAS NOT __
THEREUPON DULY DECLARED ADOPTED

AUGUST 16, 1994 TOWN OF RIVERHEAD

RESOLUTION # 583

APPOINTS PROVISIONAL ACCOUNT CLERK TYPIST TO THE ACCOUNTING DEPARTMENT

COUNCILWOMAN GILLIAM OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILMAN CREIGHTON.

WHEREAS, a vacancy for a Provisional Account Clerk Typist exists in the Accounting Department due to the resignation of Joyce Keyser; and

WHEREAS, said position was duly posted; and

WHEREAS, the Town interviewed all interested applicants in accordance with the provisions of the Civil Service Law.

NOW, THEREFORE, BE IT RESOLVED, that Marie Fedoryk is hereby appointed to the position of Provisional Account Clerk Typist with the Accounting Department effective August 29, 1994 at the annual salary of $21,857.84 as set forth in Group 9, Step P, of the CSEA Clerical and Supervisory Schedule; and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to forward a certified copy of this Resolution to Marie Fedoryk and the Accounting Department.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ Yes ___ No Abstain

THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 584

REJECTS BIDS FOR RECONSTRUCTION OF BULKHEAD AT MEETINGHOUSE CREEK

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by COUNCILMAN STARK:

WHEREAS, the Town Clerk was autorized to publish and post a notice to bidders for propane gas for use by the Town of Riverhead; and

WHEREAS, bids were received and read aloud on August 8, 1994, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in the public notice; and

WHEREAS, the Town Board has reviewed all bids.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby rejects all bids relative to the reconstruction of the bulkhead at Meetinghouse Creek; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to return any and all bid bonds received in conjunction with the above bid; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to James H. Rambo, Inc., Costello Marine Contracting Corp., Mockridge General Contracting, Inc., South Shore Docks, Inc. and the Engineering Department.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No

Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No

Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS X WAS NOT ___

THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 585
APROVES SITE PLAN OF AGWAY, INC. - LOADING DOCK

COUNCILMAN STARK offered the following resolution, which was seconded by COUNCILMAN PRUSINOWSKI :

WHEREAS, a site plan and elevations were submitted by Valerie Lionetti, as agent for Agway, Inc., for the construction of a loading dock located at 1122 Osborne Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-1-2; and

WHEREAS, the Planning Department has reviewed the site plan and elevations dated May 25, 1994, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY 11901, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type II Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, a copy of the site plan has been marked and initialled by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 22401 of the Office of the Supervisor of the Town of Riverhead; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Valerie Lionetti, as agent for Agway, Inc., for the construction of a loading dock, located at 1122 Osborne Avenue, Riverhead, New York, site plan and elevations dated May 25, 1994, as prepared by Young & Young, 400 Ostrander Avenue, Riverhead NY

11901, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code;**

8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code;**

9. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, **"No Parking, Handicap Only"**, and the universal symbol affixed thereto. Further, by execution and filing of this document, Agway, Inc. ereby authorizes and consents to the Town of Riverhead to enter premises at 1122 Osborne Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

11. That all utilities shall be constructed underground;

12. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Valerie Lionetti, as agent for Agway, Inc., the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1994 made by _____, residing at 1122 Osborne Avenue, Riverhead NY 11901, Declarant.

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

1. That the provisions of the **Riverhead Town Code,** which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code;**

7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code;**

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, **"No Parking, Handicap Only"**, and the universal symbol affixed thereto;

9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

10. That all utilities shall be constructed underground;

11. Pursuant to Section 108-133I of the **Code of the Town of Riverhead,** the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to ph, organic content, and gradation;

13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his (her) hand and seal the day and year above first written.

AGWAY, INC.

By: _____

STATE OF NEW YORK)
)ss.:
COUNTY OF SUFFOLK)

On the _____ day of _____, 1994, before me personally came _____, who, being sworn by me, did depose and say: that (s)he is the _____ of _____; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

_____
NOTARY PUBLIC

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Abstain

THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

RESOLUTION # 586 .

AUTHORIZES ATTENDANCE OF ASSESSORS AT SEMINAR

COUNCILMAN CREIGHTON offered the following resolution which was seconded by COUNCILWOMAN GILLIAM .

WHEREAS, on October 9 through October 12, 1994, the Annual Meeting and Seminar on Assessment Administration is being held in Kiamesha, New York, and

WHEREAS, 2 members of the Board of Assessors have expressed an interest and desire in attending said seminar.

NOW, THEREFORE, BE IT RESOLVED, that the assessors are hereby authorized to attend said Seminar, and

BE IT FURTHER RESOLVED, that the use of the Town vehicle is hereby authorized, and

BE IT FURTHER RESOLVED, that each assessor shall be reimbursed for costs of registration, tuition, deposit, travel, lodging and meals, not to exceed a total of $575.00 each, and

BE IT FURTHER RESOLVED, that said expenses are to be fully receipted upon their return, and

BE IT FURTHER RESOLVED, that expenses incurred for tuition, travel, lodging and meals are subject to reimbursement by the State of New York to the Town of Riverhead upon completion of said conference.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Abstain

THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 587

AWARDS BID FOR LIQUID SLUDGE AND SCREENING AND GRIT REMOVAL
RIVERHEAD SEWER DISTRICT

COUNCILWOMAN GILLIAM offered the following resolution which was seconded by COUNCILMAN CREIGHTON,

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for the removal of liquid sludge and screening and grit, and

WHEREAS, bids were received, opened and read aloud on April 27, 1994, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the notice to bidders, and

WHEREAS, the bids have been reviewed by the Superintendent of the Sewer District, who recommends the award as follows:

Liquid sludge - Don Patanjo Cesspool Service Corp., 19 Stiriz Place, Brookhaven, New York, at $43.99 per 1,000 gallons, the quantity to be removed to be in the sole judgment of the Superintendent; this bid is awarded for 18 months effective immediately;

Grit and Screening - RGM Liquid Waste Removal Corp., 972 Nichols Road, Deer Park, New York, at $90.74 per ton, the quantity to be removed to be in the sole judgment of the Superintendent; this bid is awarded for 18 months effective immediately;

NOW, THEREFORE, BE IT

RESOLVED, that the contracts for the removal of liquid sludge and grit and screening be and is hereby awarded to:

Liquid sludge - Don Patanjo Cesspool Service Corp., 19 Stiriz Place, Brookhaven, New York, at $43.99 per 1,000 gallons, the quantity to be removed to be in the sole judgment of the Superintendent; this bid is awarded for 18 months effective immediately;

Grit and Screening - RGM Liquid Waste Removal Corp., 972 Nichols Road, Deer Park, New York, at $90.74 per ton, the quantity to be removed to be in the sole judgment of the Superintendent; this bid is awarded for 18 months effective immediately;

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to each of the above mentioned contractors, the Riverhead Sewer District, and Pierre G. Lundberg, Esq., and be it further

RESOLVED, that the Town Clerk is hereby authorized to return to all unsuccessful bidders their respective bid security, and it is further

RESOLVED, that upon the completion of fully executed contracts and the filing of said contracts with the Town Clerk, the Town Clerk is hereby authorized to release to the successful bidders the bidder's bid security.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Abstain

THE RESOLUTION WAS ✗ WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 588

APPROVES SITE PLAN OF EUROPEAN AMERICAN BANK - ATM MACHINE

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by COUNCILMAN STARK:

WHEREAS, a site plan and elevations were submitted by Jim Cassidy as agent for EAB for the installation of an automated teller machine (ATM) in an existing drive-thru window located at 209 West Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-3-59; and

WHEREAS, the Planning Department has reviewed the site plan dated last April 21, 1994, as prepared by Nelson & Associates, 215 Church Street, Philadelphia PA 19106, and elevations dated last April 21, 1994, as prepared by Nelson & Associates, 215 Church Street, Philadelphia PA 19106, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Exempt Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, a copy of the site plan has been marked and initialled by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 22705 of the Office of the Supervisor of the Town of Riverhead; and

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Jim Cassidy as agent for EAB, for the installation of an automated teller machine (ATM) in an existing drive-thru window, located at 209 West Main Street, Riverhead, New York, site plan dated last April 21, 1994, as prepared by Nelson & Associates,

215 Church Street, Philadelphia PA 19106, and elevations dated last April 21, 1994, as prepared by Nelson & Associates, 215 Church Street, Philadelphia PA 19106, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

4. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code;**

7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code;**

8. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, **"No Parking, Handicap Only"**, and the universal symbol affixed thereto. Further, by execution and filing of this document, European American Bank hereby authorizes and consents to the Town of Riverhead to enter premises at 209 West Main Street, Riverhead, New York, to enforce said handicapped parking regulations;

9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

10. Pursuant to Section 108-133I of the **Code of the Town of Riverhead,** the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jim Cassidy as agent for EAB, Nelson & Associates, 215 Church St., Philadelphia PA 19106; Racanelli ConstructionCo., Inc., 200 Motor Parkway, Suite C-16, Hauppauge NY 11788; the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 1994 made by European American Bank, residing at 209 West Main Street, Riverhead NY 11901, Declarant.

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns; to wit:

1. That the provisions of the **Riverhead Town Code,** which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;

3. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

5. Parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code;**

6. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code;**

7. That adequate parking for the handicapped, pursuant to State and Federal law, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, **"No Parking, Handicap Only"**, and the universal symbol affixed thereto;

8. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

9. Pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;

Declarant has hereunto set his (her) hand and seal the day and year above first written.

EUROPEAN AMERICAN BANK

By: _____

STATE OF NEW YORK)
)ss.:
COUNTY OF SUFFOLK)

On the _____ day of _____, 1994, before me personally came _____, who, being sworn by me, did depose and say: that (s)he is the _____ of _____; that (s)he knows the seal of the corporation; that the seal affixed to this instrument is said seal; and that it was affixed by order of the Board of Directors of the Corporation.

_____
NOTARY PUBLIC

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 589

APPOINTS AEROBICS/FITNESS INSTRUCTOR TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN STARK offered the following resolution, which was seconded by COUNCILMAN PRUSINOWSKI :

RESOLVED, That Susan McAllister is hereby appointed to serve as an Aerobics/Fitness Instructor effective August 16, 1994, to be paid biweekly at the rate of $20.00 per hour and serve at the pleasure of the Town Board.

THE VOTE

Gillian ✓ Yes __ No Creighton ✓ Yes __ No
Stark ✓ Yes __ No Prusinowski ✓ Yes __ No
Janoski __ Yes __ No Absent

THE RESOLUTION WAS ✓ WAS NOT __
THEREUPON DULY DECLARED ADOPTED

August 16, 1994

TOWN OF RIVERHEAD

Resolution #590
August 16, 1994

AUTHORIZES SUBMISSION OF R.E.S.T.O.R.E. APPLICATION

COUNCILMAN CREIGHTON offered the following resolution, which was seconded by COUNCILWOMAN GILLIAM.

WHEREAS, the Town of Riverhead Community Development Office has an ongoing housing rehabilitation program providing emergency repairs to substandard units owned and/or occupied by low and moderate income persons; and

WHEREAS, the New York State Division of Housing and Community Renewal has funds available under its RESTORE Program to provide grants to municipalities for emergency home repair assistance to low and moderate income residents aged 60 and older; and

WHEREAS, the Town of Riverhead was awarded a RESTORE Grant totalling $65,000 for the period December 1, 1991 through November 30, 1993 which has successfully been administered by providing emergency home repairs to 33 low and very low income elderly households during this period; and

WHEREAS, the Town of Riverhead is proposing to submit an application to the Division of Housing and Community Renewal on or before September 30, 1994 for a $50,000 grant to fund additional emergency repairs for low income elderly residents of Riverhead Town.

THEREFORE, BE IT RESOLVED, that the Supervisor or Deputy Supervisor be and is hereby authorized and directed to execute all necessary documents required to request RESTORE funding from the New York State Division of Housing and Community Renewal; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Andrea Lohneiss, Community Development Director.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 591

APPROVES APPLICATION OF RIVERHEAD POLISH INDEPENDENT CLUB

COUNCILWOMAN GILLIAM offered the following resolution, which was seconded by COUNCILMAN CREIGHTON:

WHEREAS, the Riverhead Polish Independent Club submitted an application for the purpose of erecting a tent for dance/band purposes to be held on Saturday, August 20th and Sunday, August 21st between the hours of 9:00 a.m. and 6:00 p.m.; and

WHEREAS, the Town Board of the Town of Riverhead has reviewed all documents regarding said application.

NOW THEREFORE BE IT RESOLVED, that the application of the Riverhead Polish Independent Club for the purpose of erecting a tent for dance/band purposes be and is hereby approved for the above dates and times; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forward a certified copy of this resolution to the Riverhead Polish Independent Club, Att: Tom Tomaszewski, President, Marcy Avenue, Riverhead, New York; and the Riverhead Police Department.

DATED: Riverhead, New York
August 16, 1994

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ absent

THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution #592

AUTHORIZES TRANSFER OF NITROUS OXIDE UNIT TO SOUTHAMPTON VOLUNTEER AMBULANCE CORPS.

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by COUNCILMAN STARK:

WHEREAS, the Riverhead Town Volunteer Ambulance Corps. (RTVAC) purchased a nitrous oxide inhalator in 1987; and

WHEREAS, the use of said nitrous oxide inhalator has not been as anticipated during pre-purchase projections; and

WHEREAS, the Southampton Town Volunteer Ambulance Corps. have offered to purchase said nitrous oxide inhalator for the sum of One Thousand ($1,000.00) Dollars.

NOW THEREFORE BE IT RESOLVED, that RTVAC be and is hereby authorized to convey to and transfer said nitrous oxide inhalator to Southampton Town Volunteer Ambulance Corps. for the sum of One Thousand ($1,000.00) Dollars; and be it further

RESOLVED, that the sum of One Thousand ($1,000.00) Dollars received upon transfer be deposited in the RTVAC equipment budget, Line #003-045400-524000; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forward a certified copy of this resolution to the Riverhead Town Volunteer Ambulance Corps. and Jack Hansen.

DATED: Riverhead, New York
August 16, 1994

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ absent

THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD

RESOLUTION NO. 593

ADOPTED: 08/16/94

APPOINTS SUB-REGISTRAR OF VITAL STATISTICS

COUNCILMAN STARK offered the following resolution, which was seconded by COUNCILMAN PRUSINOWSKI.

RESOLVED, that at the request and recommendation of Barbara Grattan, Town Clerk, Donna Zaweski shall be appointed as Subregistrar of Vital Statistics to be effective immediately at the annual compensation of $50.00 per year.

BE IT FURTHER RESOLVED, that the Subregistrar of Vital Statistics is hereby directed to file the Oath of Office with the Suffolk County Clerk pursuant to Section 4123 of **Public Health Law**; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Accounting Department.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No

Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No

Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS ✓ WAS NOT ___

THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution #594

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING- CHANGE OF ZONE PETITION OF ANTHONY MITARONTONDO

COUNCILMAN CREIGHTON offered the following resolution, which was seconded by COUNCILWOMAN GILLIAM:

WHEREAS, the Riverhead Town Board is in receipt of a petition from Anthony E. Mitarontondo et al to amend the Zoning Use District Map of the Town of Riverhead to provide for the Business C Zoning Use District to the exclusion of the existing Residential C Zoning Use District on real property located on East Main Street, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel No. 0600-109-3-4, and

WHEREAS, The Town Board has determined the action to be Unlisted and that an environmental impact statement need not be prepared, and

WHEREAS, the Town Board desires to hold a public hearing on this matter, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead:

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No

Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No

Janoski ___ ~~Yes~~ ___ ~~No~~ absent

THE RESOLUTION WAS X WAS NOT ___

THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD
PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of September, 1994 at 7:35 p.m. o'clock at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons with regard to the change of zone petition of Anthony Mitarontondo requesting the amendment of the Zoning Use District Map of the Town of Riverhead in order to provide for the Business C Zoning Use District to the exclusion of the Residence C Zoning Use District on real property located on East Main Street, Riverhead; real property more particularly described as SCTM No. 0600-109-3-4.

DATED: Riverhead, New York
August 16, 1994.

By Order of the Town Board of the
Town of Riverhead

Barbara Grattan, Town Clerk

8/16/94

TOWN OF RIVERHEAD

Resolution #595

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW AMENDING CHAPTER 95 OF THE CODE OF THE TOWN OF RIVERHEAD - SENIOR CITIZEN PARTIAL EXEMPTION FROM REAL PROPERTY TAXES.

COUNCILWOMAN GILLIAM offered the following resolution, which was seconded by COUNCILMAN CREIGHTON:

WHEREAS, the State Legislature has recently authorized municipalities to amend local legislation to increase the maximum income eligibility levels for senior citizens to apply for partial exemption from real property taxes; and

WHEREAS, pursuant to Section 467 of the New York Real Property Tax Law, it is the intent of this Town Board to amend Section 95-3 of the Code of the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider a local law amending Chapter 93-5 of the Code of the Town of Riverhead.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent
THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of September, 1994, at 7:05 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons concerning a local law amending Chapter 95 of the Code of the Town of Riverhead as follows:

95-3. Conditions for exemption.

Real property situate in the Town of Riverhead owned by persons sixty-five (65) years of age or over shall be exempt from town taxes to the extent of fifty per centum (50%) of the assessed valuation, subject to the following conditions:

B. The income of the owner or the combined income of the owners of the property must not exceed the sum of ~~twelve thousand twenty-five dollars ($12,025.)~~ seventeen thousand five hundred dollars ($17,500.) for the income tax year immediately preceding the date of making application for exemption.*

Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest dividends, rental income, salary or earnings and income from self-employment, but shall not include gifts or inheritances.

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* Editor's Note: The following sliding scale senior citizen tax exemption, as provided for by Chapter 261 of the Laws of 1994 of the State of New York, as amended by Sect. 467 of the New York State Real Property Tax Law, be and is hereby adopted in the following amounts:

Income	Percentage of Exemptions
~~$12,025 or less~~	~~50~~
$17,500 or less	50
~~$12,026 to $12,625~~	~~45~~
$17,501 to $18,500	45
~~$12,626 to $13,225~~	~~40~~
$18,501 to $19,500	40
~~$13,226 to $13,825~~	~~35~~
$19,501 to $20,500	35
~~$13,826 to $14,425~~	~~30~~
$20,501 to $21,400	30
~~$14,426 to $15,025~~	~~25~~
$21,401 to $22,300	25
~~$15,026 to $15,625~~	~~20~~
$22,301 to $23,200	20

~~$15,626 to $16,225~~	~~15~~
$23,201 to $24,100	15
~~$16,226 to $16,825~~	~~10~~
$24,101 to $25,000	10

** Underscore represents addition(s)
*** Overstrike represents deletion(s)

Dated: Riverhead, New York
August 16, 1994

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

AUGUST 16, 1994 TOWN OF RIVERHEAD

Resolution # 596

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR LABORER IN THE REFUSE AND GARBAGE DEPARTMENT

COUNCILMAN PRUSINOWSKI OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILMAN STARK.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following help wanted ad:

HELP WANTED

PLEASE TAKE NOTICE, THAT THE TOWN OF RIVERHEAD IS SEEKING QUALIFIED INDIVIDUALS, TO SERVE IN THE POSITION OF LABORER IN THE REFUSE AND GARBAGE DEPARTMENT. INTERESTED INDIVIDUALS MUST SUBMIT AN APPLICATION TO THE ACCOUNTING DEPARTMENT, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK, 11901 BETWEEN THE HOURS OF 8:30 A.M. AND 4:30 P.M. NO APPLICATIONS FOR THIS POSITION WILL BE ACCEPTED AFTER AUGUST 29, 1994. THE TOWN OF RIVERHEAD DOES NOT DISCRIMINATE ON THE BASIS OF AGE, RACE, COLOR, NATIONAL ORIGIN, SEX OR HANDICAPPED STATUS IN THE EMPLOYMENT OR PROVISION OF SERVICES.

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 597

DIRECTS THE TOWN ENGINEER TO COMPLETE CERTAIN IMPROVEMENTS TO THE RIVERHEAD PARKING DISTRICT

COUNCILMAN STARK offered the following resolution, which was seconded by COUNCILMAN PRUSINOWSKI:

WHEREAS, the Riverhead Parking District has entered into an agreement with Riverhead Enterprises, Inc. for the improvement of lands to be leased by the Parking District, and

WHEREAS, certain improvements have been completed, and

WHEREAS, the Town Board has received a request from the Parking Committee to consider the practicality of the use of nine (9) foot by eighteen (18) foot parking stalls instead of the ten (10) foot by twenty (20) foot stalls required by the Town of Riverhead Zoning Ordinance, and

WHEREAS, the Town Board desires to test the effect of such a dimensional change to parking stalls, now

THEREFORE, BE IT

RESOLVED, that the Town Board hereby directs the Town engineer to stripe the subject parking area with nine (9) foot by eighteen (18) foot stalls with twenty-four (24) foot aisles where practical, and

BE IT FURTHER

RESOLVED, that the Public Parking Liaison Group and Ken Testa shall evaluate the impacts of such dimensional change in a one (1) year period in order to collect data for future decision making, and

BE IT FURTHER

RESOLVED, that copies of this resolution shall be forwarded to Kenneth Testa, Frank Creighton, Harriet Gilliam, Barry Barth, Joseph Fischer, William Knapp and Philip Kenter.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS X WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

AUGUST 16, 1994

TOWN OF RIVERHEAD

Resolution # 598

BUDGET ADJUSTMENT
GENERAL FUND

COUNCILMAN CREIGHTON OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY COUNCILWOMAN GILLIAM:

BE IT RESOLVED, THAT THE SUPERVISOR BE AND HEREBY IS, AUTHORIZED TO ESTABLISH THE FOLLOWING BUDGET ADOPTION:

		FROM:
001.012200.541500.00000	SUPERVISOR, TOWN CAR EXPENSE	$ 50.00
001.013100.542700.00000	FINANCE COMPUTER SUPPLIES	$ 3300.00
001.014200.543400.00000	TOWN ATTY., EDUCATION EXPENSE	$ 250.00
001.014400.543500.00000	TOWN ENGINEER	$ 645.00
001.016230.542500.00000	POLICE/COURT COMPLEX, EQUIPMENT	$ 750.00
001.016250.541202.00000	BLDG. & GROUNDS, TOWN DREDGING	$12000.00
001.016250.547504.00000	BLDG. & GROUNDS, SANITATION EXP.	$ 7000.00
001.016250.541500.00000	POLICE, AUTO REPAIR	$ 4215.00
001.031220.524340.00000	BAY CONSTABLE, FILE CABINETS	$ 380.00
001.031220.524415.00000	BAY CONSTABLE, BINOCULARS	$ 75.00
001.031220.542320.00000	BAY CONSTABLE, POLLUTION CTRL SUPPLIES	$ 250.00
001.031220.542400.00000	BAY CONSTABLE, UNIFORM	$ 150.00
001.031220.541406.00000	BAY CONSTABLE, EQUIP. REPAIR & MAINT.	$ 1215.00
001.031250.542104.00000	JAB, TRAVEL	$ 200.00
001.035100.543220.00000	DOG WARDEN, VET CARE	$ 4500.00
001.014100.542803.00000	TOWN CLERK, RECEIPT BONDS	$ 50.00
001.014100.543405.00000	TOWN CLERK, TRAVEL	$ 150.00
001.014100.542107.00000	TOWN CLERK, BOOKBINDING	$ 150.00
001.014100.542114.00000	TOWN CLERK, DUES	$ 25.00
001.014100.542603.00000	TOWN CLERK, FORMS	$ 50.00
001.090100.581500.00000	NYS RETIREMENT	$15000.00

		TO:
001.012200.524300.00000	SUPERVISOR SEC. EQUIPMENT	$ 50.00
001.013100.543405.00000	FINANCE, TRAVEL EXP.	$ 200.00
001.013100.541409.00000	FINANCE, MAINT. CONTR.	$ 2100.00
001.013100.524000.00000	FINANCE, EQUIPMENT	$ 1000.00
001.014200.542802.00000	TOWN ATTY., SUPPLEMENTAL LAW BKS	$ 250.00
001.014400.541500.00000	TOWN ENG., VEHICLE MAINT. EXPENSE	$ 500.00
001.014400.542100.00000	TOWN ENG., MISC. OFFICE EXP.	$ 100.00
001.014400.542114.00000	TOWN ENG., PROF. DUES & SUPPLIES	$ 45.00
001.016230.542500.00000	POLICE COURT COMPLEX, SUPPLIES & SVC.	$ 750.00
001.016250.541204.00000	BLDG. & GROUNDS, REC REPAIR & MAINT.	$ 3000.00
001.016250.524000.00000	BLDG. & GROUNDS, EQUIPMENT	$16000.00
001.031200.542605.00000	POLICE, APPEARANCE TICKETS	$ 615.00
001.031200.542318.00000	POLICE, K-9 EXPENSE	$ 2800.00
001.031200.541426.00000	POLICE, COPY MACHINE EXP.	$ 750.00

001.031200.524380.00000	POLICE, MISC. OFFICE EQUIPMENT	$ 50.00
001.031250.524000.00000	BAY CONSTABLE, EQUIPMENT	$ 70.00
001.031250.546303.00000	BAY CONSTABLE, UTILITIES- GAS & OIL	$ 2000.00
001.031250.546000.00000	JAB, UTILITIES	$ 200.00
001.035100.541500.00000	DOG WARDEN, AUTO REPAIRS	$ 750.00
001.035100.546200.00000	DOG WARDEN, ELECTRIC	$ 3000.00
001.035100.512100.00000	DOG WARDEN, OVERTIME	$ 750.00
001.014100.524000.00000	TOWN CLERK, EQUIPMENT	$ 100.00
001.014100.542104.00000	TOWN CLERK, FILING MATERIAL	$ 50.00
001.014100.542602.00000	TOWN CLERK, STATIONARY	$ 275.00
001.075500.544220.00000	EAST END ARTS CULTURAL EVENTS	$15000.00

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No

Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No

Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS X WAS NOT

8/16/94

TOWN OF RIVERHEAD

Resolution # 599

APPOINTS MEMBERS TO THE FARMLANDS COMMITTEE

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by COUNCILMAN STARK:

WHEREAS, pursuant to Chapter 8 of the Administrative Local Laws of the **Code of the County of Suffolk**, at Section 8-5, the Town of Riverhead is empowered to designate a member of the Farmlands Committee to serve at the pleasure of the Town Board; and

WHEREAS, this Town Board does hereby wish to relieve the current designee, Edwin Fishel Tuccio, and designate Jacob Rottkamp as representing the Town of Riverhead.

NOW, THEREFORE, BE IT RESOLVED, that the designation of Edwin Fishel Tuccio is hereby revoked; and

BE IT FURTHER RESOLVED, that Jacob Rottkamp is hereby designated as the Town of Riverhead's member on the Farmlands Committee; and

BE IT FURTHER RESOLVED, that the Town Clerk, pursuant to Section 8-5(C) shall certify to the Clerk of the County Legislature the designation of Jacob Rottkamp to the Farmlands Committee; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Jacob Rottkamp and Edwin Fishel Tuccio.

THE VOTE

Gilbam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent
THE RESOLUTION WAS X WAS NOT ___
DULY DECLARED ADOPTED

8/16/94

TOWN OF RIVERHEAD
RESOLUTION # 600
ADOPTED AUGUST ___, 1994

RESOLUTION REGARDING ESTABLISHMENT OF COMMUNITY RESIDENCE

COUNCILMAN STARK offered the following resolution, which was seconded by COUNCILMAN PRUSINOWSKI.

WHEREAS, by letter dated July 12, 1994, the Aid to the Developmentally Disabled, Inc. notified the Town of Riverhead of its intent to acquire property at 40 Cross River Drive, Rte. 105, Aquebogue for the establishment of a community for four (4) developmentally disabled persons; and

WHEREAS, the Town Board on August 2, 1994, by Resolution #555, authorized the publication of a public hearing notice to be held on Monday, August 15, 1994 at Riverhead Town Hall to hear all interested persons regarding this proposal; and

WHEREAS, the Town Board held said public hearing; and

WHEREAS, the record reflects the following findings:

1. That the Town of Riverhead is bearing far beyond its fair share of group homes, nursing homes and institutional living facilities as compared to proportional numbers supported by the Towns of Brookhaven, Southampton, Southold, East Hampton and Shelter Island; and

2. That the impact of tax-exempt properties on Town and School District revenues is significant, equating to an estimated $30 million loss in assessed value; and

3. That the State should strive to achieve a balance between communities when distributing its social services; and

4. That the State should seek to provide a positive contribution in the community by acquiring housing needing improvements, undertaking rehabilitation and thereby improving the housing stock in the Town; and

5. The Town continues to seek the cooperation of the State of New York in the identification of appropriate locations for the establishment of community residences.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes and directs the Town Attorney to submit a response to the Aid to the Developmentally Disabled, Inc., within the required forty (40) day notification period based on the over concentration of facilities of the kind described in the municipality, and, in addition, the Town Board authorizes and directs the Town Clerk to forward, upon transcription, the full minutes of the August 15, 1994 public hearing to Aid to the Developmentally Disabled, Inc.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Aid to the Developmentally Disabled, Inc., 877 East Main Street, Riverhead, New York, 11901; Governor Mario Cuomo; Kenneth LaValle State Senator, Patricia Acampora, State Assemblywoman; Gregory Blass, Suffolk County Legislator; Jill McGinn, New York State Office of Mental Retardation; Richard Daley, ACSW, Suffolk County Department of Community Mental Health; Larry Colfin, New York State Office of Mental Retardation; Renee Pekmezaris, Executive Director Nassau-Suffolk Health System Agency; Robert Gaffney, Suffolk County Executive; Denise Ridge, New York State Office of Mental Retardation and Robert Lopez, New York State Department of Mental Retardation.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes
Stark ✓ Yes ___ No Prusinowski ✓ Yes
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS X WAS NOT
THEREUPON DULY DECLARED ADOPTED

8/16/94

Town of Riverhead

Resolution # 601

Approves Temporary Sign Application for K-mart (East End Commons)

COUNCILMAN CREIGHTON offered the following resolution,

which was seconded by COUNCILWOMAN GILLIAM:

WHEREAS, a temporary sign permit application and rendering was submitted by Edward kick, Stegia Group, on behalf of Breslin realty corporation for K-mart in the east End Commons, and

WHEREAS, pursuant to Section 108-56 (C) (5) of the Riverhead Town Code, the application does not require the recommendation of the Architectural review Board, and

WHEREAS, the rendering has been approved by three (3) Town Board Members

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of Riverhead hereby approves the temporary sign application submitted by Edward Kick of Stegia Group, dated August 8, 1994, for the temporary sign for K-mart at east End Commons, and be it further

RESOLVED, that said sign shall be erected for a period of not more than ninety (90) days; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Edward kick of Stegia Group, and the Building department.

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS X WAS NOT ___
ADOPTED

AUGUST 16, 1994 TOWN OF RIVERHEAD

Resolution # 602

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR ADMINISTRATIVE ASSISTANT IN COMMUNITY DEVELOPMENT.

COUNCILWOMAN GILLIAM OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILMAN CREIGHTON.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following help wanted ad:

HELP WANTED

PLEASE TAKE NOTICE, THAT THE TOWN OF RIVERHEAD IS SEEKING A QUALIFIED INDIVIDUAL, TO SERVE IN THE POSITION OF ADMINISTRATIVE ASSISTANT IN COMMUNITY DEVELOPMENT. INTERESTED INDIVIDUALS MUST POSSESS TWO YEARS' COLLEGE EXPERIENCE, BACHELORS DEGREE PREFERRED, OR APPROPRIATE EXPERIENCE IN THE WORK FORCE. INTERESTED INDIVIDUALS MUST SUBMIT AN APPLICATION TO THE ACCOUNTING DEPARTMENT, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK, 11901 BETWEEN THE HOURS OF 8:30 A.M. AND 4:30 P.M. NO APPLICATIONS FOR THIS POSITION WILL BE ACCEPTED AFTER SEPTEMBER 2, 1994. THE TOWN OF RIVERHEAD DOES NOT DISCRIMINATE ON THE BASIS OF AGE, RACE, COLOR, NATIONAL ORIGIN, SEX OR HANDICAPPED STATUS IN THE EMPLOYMENT OR PROVISION OF SERVICES.

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~ Absent

THE RESOLUTION WAS ✓ WAS NOT ___
[illegible] ADOPTED

RESOLUTION # 603 ABSTRACT #26-94 AUGUST 4, 1994 (TBM 8-16-94)

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Stark

RESOLVED, that the SUPERVISOR be and is hereby authorized to pay the following:

ACCOUNTS		TOTALS
GENERAL TOWN	001	$368,593.47
PARKING METER	002	$0.00
AMBULANCE FUND	003	$1,552.75
POLICE ATHLETIC LEAGUE	004	$0.00
TEEN CENTER	005	$0.00
RECREATION PROGRAM	006	$11,072.57
SENIOR NUTRITION SITE COUNCIL	007	$0.00
D.A.R.E. PROGRAM FUND	008	$0.00
CHILD CARE BUILDING FUND	009	$0.00
HIGHWAY	111	$147,187.67
WATER	112	$60,190.03
REPAIR & MAINTENANCE	113	$0.00
SEWER	114	$18,615.51
REFUSE & GARBAGE COLLECTION	115	$18,243.46
STREET LIGHTING	116	$21,326.20
PUBLIC PARKING	117	$7,752.52
BUSINESS IMPROVEMENTS DISTRICT	118	$7.60
T.O.R. URBAN DEV CORP TRUST A/	119	$0.00
WORKER'S COMPENSATION FUND	173	$617.88
HOSPITALIZATION SELF INSURANCE	174	$0.00
RISK RETENTION FUND	175	$92.93
UNEMPLOYMENT INSURANCE FUND	176	$0.00
MAIN STREET REHAB PROGRAM	177	$0.00
REVOLVING LOAN PROGRAM	178	$2,364.34
RESIDENTIAL REHAB	179	$0.00
DISCRETIONARY/SMALL CITIES	180	$0.00
CDBG CONSORTIUM ACCOUNT	181	$562.18
URBAN DEVEL CORP WORKING	182	$0.00
RESTORE	184	$0.00
PUBLIC PARKING DEBT	381	$0.00
SEWER DISTRICT DEBT	382	$0.00
WATER DEBT	383	$0.00
GENERAL FUND DEBT SERVICE	384	$0.00
SCAVANGER WASTE DISTRICT DEBT	385	$0.00
TOWN HALL CAPITAL PROJECTS	406	$1,005.00
EIGHT HUNDRED SERIES	408	$0.00
WATER IMPROVEMENT CAP. PROJECT	409	$0.00
NUTRITION CAPITAL IMPROVEMENTS	441	$7,084.00
CHIPS	451	$0.00
YOUTH SERVICES	452	$1,297.36
SENIORS HELPING SENIORS	453	$1,445.04
EISEP	454	$1,554.86
SCAVANGER WASTE CAP PROJECT	470	$0.00
MUNICIPAL FUEL FUND	625	$1,316.34
MUNICIPAL GARAGE	626	$3,148.44
TRUST & AGENCY	735	$730,641.57
SPECIAL TRUST	736	$0.00
JOINT SCAVENGER WASTE	918	$16,986.78
PAYROLL CLEARING ACCOUNT	998	$0.00
CENTRAL CLEARING ACCOUNT	999	$0.00
GRAND TOTAL		$1,422,658.50

THE VOTE

Gilliam ✓ Yes ___ No Creighton ✓ Yes ___ No

Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No

Janoski ___ Yes ___ No

THE RESOLUTION WAS ✓ WAS NOT ___

DULY DECLARED ADOPTED

FILED IN THE OFFICE OF THE TOWN CLERK

AUG 3 03 PM '94

BARBARA GRATTAN
TOWN CLERK

RESOLUTION # 603 ABSTRACT #27-94 AUGUST 11, 1994(TBM 8-16-94)

Councilman Prusinowski offered the following resolution, which was seconded by Councilman Stark

RESOLVED, that the SUPERVISOR be and is hereby authorized to pay the following:

ACCOUNTS		TOTALS
GENERAL TOWN	001	$39,741.62
PARKING METER	002	$0.00
AMBULANCE FUND	003	$0.00
POLICE ATHLETIC LEAGUE	004	$0.00
TEEN CENTER	005	$0.00
RECREATION PROGRAM	006	$288.97
SENIOR NUTRITION SITE COUNCIL	007	$0.00
D.A.R.E. PROGRAM FUND	008	$0.00
CHILD CARE BUILDING FUND	009	$0.00
HIGHWAY	111	$111,215.01
WATER	112	$108.00
REPAIR & MAINTENANCE	113	$0.00
SEWER	114	$1,442.81
REFUSE & GARBAGE COLLECTION	115	$121,055.34
STREET LIGHTING	116	$15.82
PUBLIC PARKING	117	$8,090.71
BUSINESS INPROVEMENTS DISTRICT	118	$2,858.32
T.O.R. URBAN DEV CORP TRUST A/	119	$0.00
WORKER'S COMPENSATION FUND	173	$0.00
HOSPITALIZATION SELF INSURANCE	174	$0.00
RISK RETENTION FUND	175	$0.00
UNEMPLOYMENT INSURANCE FUND	176	$0.00
MAIN STREET REHAB PROGRAM	177	$0.00
REVOLVING LOAN PROGRAM	178	$0.00
RESIDENTIAL REHAB	179	$63.68
DISCRETIONARY/SMALL CITIES	180	$0.00
CDBG CONSORTIUM ACCOUNT	181	$0.00
URBAN DEVEL CORP WORKING	182	$0.00
RESTORE	184	$0.00
PUBLIC PARKING DEBT	381	$0.00
SEWER DISTRICT DEBT	382	$0.00
WATER DEBT	383	$0.00
GENERAL FUND DEBT SERVICE	384	$0.00
SCAVANGER WASTE DISTRICT DEBT	385	$0.00
TOWN HALL CAPITAL PROJECTS	406	$20,764.00
EIGHT HUNDRED SERIES	408	$0.00
WATER IMPROVEMENT CAP. PROJECT	409	$0.00
NUTRITION CAPITAL IMPROVEMENTS	441	$0.00
CHIPS	451	$53,442.21
YOUTH SERVICES	452	$0.00
SENIORS HELPING SENIORS	453	$78.12
EISEP	454	$73.08
SCAVANGER WASTE CAP PROJECT	470	$0.00
MUNICIPAL FUEL FUND	625	$3,699.18
MUNICIPAL GARAGE	626	$5,265.04
TRUST & AGENCY	735	$0.00
SPECIAL TRUST	736	$0.00
JOINT SCAVENGER WASTE	918	$2,696.90
PAYROLL CLEARING ACCOUNT	998	$0.00
CENTRAL CLEARING ACCOUNT	999	$0.00
GRAND TOTAL		$370,898.81

FILED IN THE OFFICE OF THE TOWN CLERK
Aug 12 11 40 AM '94
BARBARA GHATTAN
TOWN CLERK

THE VOTE

Gilhar ✓ Yes ___ No Creighton ✓ Yes ___ No
Stark ✓ Yes ___ No Prusinowski ✓ Yes ___ No
Janoski ___ ~~Yes~~ ___ ~~No~~

THE RESOLUTION WAS ✓ WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

08/16/94

TOWN OF RIVERHEAD

#604 APPOINTS MEMBER TO THE GOVERNOR'S EAST END TASK FORCE

Adopted: 08/16/94

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by **COUNCILMAN CREIGHTON**.

RESOLVED, that Councilwoman Harriet Gilliam is hereby appointed to the Governor's East End Task Force.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Councilwoman Gilliam and to Governor Mario M. Cuomo, Executive Chamber, The State Capitol, Albany, New York 12224.

abstain

Gilliam ___ Yes ___ No ... ghton ✓ Yes ___ No

Stark ✓ Yes ___ No ... sinowski ✓ Yes ___ No

Jam... Yes ___ No absent

THE RESO... WAS NOT ___

THER... ...ED ADOPTED

8/16/94

TOWN OF RIVERHEAD

Resolution # 605

APPROVES SPECIAL PERMIT APPLICATION OF THE OKEANOS OCEAN RESEARCH FOUNDATION

COUNCILMAN CREIGHTON offered the following resolution, which was seconded by COUNCILWOMAN GILLIAM:

WHEREAS, the Riverhead Town Board is in receipt of a special use permit petition from the Okeanos Ocean Research Foundation for the development of an aquarium and sea mammal research rehabilitation facility on real property located on East Main Street, Riverhead, New York, and

WHEREAS, the Riverhead Town Board, as Lead Agency, has completed the environmental review of the application pursuant to Article 8 of the Environmental Conservation Law and by resolution Number 546 of 1994 has adopted a Statement of Findings, and

WHEREAS, the Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation; such Board recommending approval of the petition with conditions, and

WHEREAS, the Town Board has referred the petition to the Suffolk County Planning Commission and is in receipt of the report of the Commission, and

WHEREAS, the Town Board has held a public hearing upon the subject petition pursuant to Section 108-3 of the Riverhead Town Code, and

WHEREAS, the Town Board has carefully considered the merits of the special permit petition, the Draft Environmental Impact Statement, the response to environmental commentary made by the applicant, the Findings of involved agencies, the report of the Riverhead Planning Board, the report of the Suffolk County Planning Commission, the relevant public hearing record as well as all other relevant planning, zoning, and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of the Okeanos Ocean Research Foundation, the Riverhead Town Board reaffirms its Findings Statement pursuant to Article 8 of the New York State Environmental Conservation Law and further finds the following:

FIRST: That those measures to be undertaken by the Town of Riverhead, the Parking District, the New York State Department of Environmental Conservation, and the New York State Department of Transportation adequately mitigate those environmental impacts identified in the relevant SEQR review;

SECOND: That the site is particularly suitable for the location of such use in the community due to its location contiguous to the Peconic River and its location within the Business Improvement District and the Riverhead Sewer District;

THIRD: That the plot area is sufficient, appropriate and adequate for the subject use and the reasonably anticipated operation thereof;

FOURTH: That access facilities from New York State Route 25 and lands of the Parking District are adequate for the estimated motor vehicle and pedestrian traffic from public streets and sidewalks so as to avoid congestion and to support the viability of other existing or permitted uses;

FIFTH: That there will be sufficient off-street parking spaces in a number adequate to serve the anticipated number of occupants, employees, patrons, and visitors and that the design and layout of such parking spaces are convenient to the proposed use, are conductive to safe operation and in keeping with the aesthetic character of the community;

SIXTH: That the proposed use is appropriate for special building area coverage requirements and that existing easements shall be maintained;

SEVENTH: That the proposed use is appropriate for the location of semi-public areas and or places and that such areas will be provided;

EIGHTH: That adequate provisions will be made for the collection of stormwater and sanitary wastewater as well as all other wastes in a manner not considered to be injurious to the ecology of the Peconic Estuary;

NINTH: That municipal service districts serve the property and that the level of service to be provided by such special districts shall be adequate for the proposed use;

TENTH: That the use is not expected to generate any environmental pollution to be discernible on adjacent properties or public lands;

ELEVENTH: That measures proposed for construction activities are considered adequate to mitigate identified impacts;

TWELFTH: That the proposed use is considered to be a use both consistent with and contemplated by the Town of Riverhead Urban Renewal Plan as recommended by this Planning Board and approved by the Riverhead Town Board, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby determines the following:

FIRST: That the use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood;

SECOND: That the hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;

THIRD: That the health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use;

FOURTH: That such use will be in harmony with and promote the general purposes and intent of the Riverhead Master Plan and attending Zoning Ordinance; and

BE IT FURTHER

RESOLVED, that based upon its findings and determinations, the Riverhead Town Board hereby approves the special permit petition of the Okeanos Ocean Research Foundation for the development of an aquarium and sea mammal research and rehabilitation center; such special permit to be for a duration of three (3) years, and

BE IT FURTHER

RESOLVED, that no building permit shall be issued prior to the approval of a site plan pursuant to Section 108-128 of the Riverhead Zoning Ordinance; such site plan review to consider the following:

1. The relocation of the boat ramp existing upon contiguous lands of the Riverhead Parking District;

2. Public access to those docks and walkways existing on the subject property;

8/16/94

TOWN OF RIVERHEAD

Resolution # 606

AUTHORIZES COMPENSATION FOR THE DEPUTY SUPERVISOR, REAFFIRMS HIS DUTIES AND RESPONSIBILITIES AND DEFINES THE CHAIN OF COMMAND

COUNCILMAN PRUSINOWSKI offered the following resolution, which was seconded by COUNCILWOMAN GILLIAM:

WHEREAS, it is the desire of the Town Board to ensure an efficient and responsive operation of Town government; and

WHEREAS, New York State Town Law, Section 42, allows the Office of Deputy Supervisor to be established; and

WHEREAS, the Town Board previously established the Office of Deputy Supervisor and said Deputy is appointed and serves at the pleasure of the Supervisor; and

WHEREAS, Supervisor Joseph Janoski did in fact, appoint Councilman James Stark as Deputy Supervisor on January 1, 1994; and

WHEREAS, the Supervisor is experiencing an extended absence from Town Hall due to illness; and

WHEREAS, the Supervisor has not notified the Town Board of his anticipated return; and

WHEREAS, Section 42 of the New York State Town Law states, "during the absence or inability to act of the Supervisor, or while the Office of Supervisor is vacant, the Deputy Supervisor shall preside, when present, at the meetings of the Town Board and shall be vested with all of the powers and may perform all of the duties of the Supervisor under this chapter or any other law...". Further, Section 42, Subsection 6 of the New York State Town Law states, "in the absence of a Supervisor, the Deputy Supervisor or in lieu thereof, a person duly appointed as administrator, may sign checks, documents withdrawing Town funds from Town bank accounts and Town issued obligations, and sign contracts as authorized by the Town Board"; and

WHEREAS, these general questions were researched by the Town Attorney and a report given to the Town Board dated May 17, 1994 concludes the proposed resolution, " therefore to the extent that it places all the duties and responsibilities of the Supervisor upon the Deputy Supervisor is in accord with Section 42 of the New York State Town Law"; and

WHEREAS, the Town Board wishes to ensure good order and consistency in carrying out the business of the Town as directed and authorized by the Town Board; and

WHEREAS, the Town Board believes that a chain of command is necessary for the smooth and effective operation of government; and

WHEREAS, the unexpected illness of the Supervisor and his resultant absence requires the Deputy Supervisor having to devote more time to the duties of that position. Whereas there exists a concern in the community and among the Town employees as to the chain of command in the operation of Town government.

NOW THEREFORE BE IT RESOLVED, that the Town Board, in fulfilling its responsibility under the law to provide all direction and authority for the proper functioning of Town government, hereby confirms and directs the Deputy Supervisor to assume and perform all the duties and responsibilities of the Supervisor as provided for in Section 42 of the New York State Town Law, to act, but not limited to, signatory for the Town and to oversee day to day administration of Town government, as authorized or directed by the Town Board; and be it further

RESOLVED, that the Deputy Supervisor will be compensated at the biweekly rate of $788.00 retroactive to June 1, 1994 to be paid out of the personal account #001.012200.511500 in the Office of the Supervisor and said compensation shall terminate upon either the return of the Supervisor to his full time, day to day duties or resignation of or removal by the Supervisor of James Stark, Deputy Supervisor. In the event a vacancy shall occur in the Office of Supervisor, the Deputy shall be compensated until such time as a new Supervisor takes the oath of office; and be it further

RESOLVED, that all Town employees and Administrative staff will conduct official business under the direction of their Department Heads who will receive their policy direction from the Town Board as implemented through the Deputy Supervisor; and be it further

RESOLVED, that the Town Board requests that the committee structure of the Board be reinstituted and urges the Deputy Supervisor to ensure that the Town interests are properly represented and protected in various forms, commissions, and intergovernmental meetings that require Town representation; and be it further

RESOLVED, that it is the intent of the Town Board, by this resolution, to provide for the orderly and consistent operation of Town government during the extended absence of the Supervisor due to his illness and to free the Supervisor of unnecessary job related stress. The Town Board is not requesting the Supervisor's resignation and goes on record as so stating. In fact, the Town Board recognizes the seriousness of his illness and wishes him a full recovery. In addition, the Town Board wishes to recognize the time and dedication that Deputy Supervisor has provided the Town during this circumstance and the Town Board wishes to provide guidance for the conduct of employees in the performance of their duties until the Supervisor is medically cleared and resumes his full-time, day to day administrative duties of his position; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to each member of the Town Board; all elected officials within Town government and all Department Heads.

THE VOTE

Gilliam ✓ Yes __ No Creighton ✓ Yes __ No

Stark ✓ Yes __ No Prusinowski ✓ Yes __ No

Janosid __ Yes __ No Absent

THE RESOLUTION WAS X WAS NOT __

THEREUPON DULY DECLARED ADOPTED